

06/13/2024

Judge Teresa H Pearson

10:30 23-32834-thp11

Magno, L.L.C. - db
 Jeffrey D Bowden - cr
 Pacific West Bank - cr
 Magno-Humphries Inc - int pty
 Finishing First, Inc; Tigard
 WinSupply Co - int ptys
 Kenneth S Eiler -tr (present)

AVA L SCHOEN
 BRUCE ORR
 JASON AYRES
 RAIFE NEUMAN
 HOWARD LEVINE
 DAVID CRISWELL

Matter: Motion to Reconsider. Filed by Creditor Jeffrey D. Bowden Re: 107 Order Confirming Plan Pursuant to 1191(b) Re 63 Chapter 11 Plan of Reorganization Filed by Debtor Magno, L.L.C. (SCHOEN, AVA) Status Report due by 9/20/2024. LBF 1190 Notice of OCP due 7/8/2024. (dcm) (Main Document 107 replaced on 5/24/2024) (bls). Modified on 5/24/2024 to include missing page 11 of Exhibit 1 (bls). (ORR, BRUCE) Doc# 112

Summary of Proceedings

Mr. Orr's motion for reconsideration consisted of several motions, some of which were primarily legal issues and some of which would potentially have factual components. As to the testimony of Mr. Humphries on behalf of Magno Humphries, Inc., the court will allow Mr. Orr to elicit additional testimony from Mr. Humphries on cross-examination, provided that no later than 7 days prior to an agreed hearing date, Mr. Orr is to file a list of topics to identify exactly what testimony he planned to elicit from Mr. Humphries on behalf of Magno-Humphries Inc. Mr. Neuman and Ms. Schoen will have an opportunity to object during the hearing to questioning they believe has gone beyond the scope of already received direct testimony or is otherwise unrelated to confirmation. The court will set no more than 2 hours time for this new hearing.

As for the 4 motions in the motion for reconsideration, Ms. Schoen has the normal 14 day period to respond to motions 3 & 4. Re motion 1, that will likely be resolved after Mr. Humphries' testimony in his capacity as agent for Magno Humphries, Inc. Re motion 2, Mr. Orr has 14 days from today to identify exactly where and how he believes the court erred during the hearing.

The courtroom deputy will reach out to Mr. Neuman to find dates which would work for Mr. Humphries to return for testimony, and then other parties will be contacted to work out an agreeable date for all concerned.

At the hearing, Mr. Neuman expressed concern about not hearing Mr. Humphries' prior testimony at the confirmation hearing. The courtroom deputy has previously placed the audio for the confirmation hearing on the docket. After the hearing, the court requested that the courtroom deputy provide information to the parties attending this hearing regarding where Mr. Humphries' testimony is located in the audio files.

Order to be prepared by: _____ Clerk's Office _____ Chambers Other:

Minute Order: